

REMARKS

Claims 29 to 38 are pending; claims 29 to 33 stand withdrawn pursuant to a Restriction Requirement. Claim 34 has been proposed to make more clear that the hub pre-exists as an entity (i.e., “initially separate”), a prerequisite to its being capable of being “releasably attachable” to the catheter. Support is clearly provided in Figs. 5 and 6, and in Paragraphs [0011] and [0037].

Additionally, claim 34 has been amended to delete the limitation that the hub establishes fluid communication between the catheter lumens and the respective extension tubes, since this is incorrect and not supported by the Specification. The undersigned apologizes for this error and regrets any confusion or additional effort on the part of the Examiner, and withdraws any comments regarding this limitation in previous arguments, if any, made to distinguish over prior art. Reference is drawn to Figs. 1 and 12, and to the Specification at Paragraphs [0036], in which it is expressly stated that : “. . .the distal end 152 of the hub is designed to juxtapose the first catheter 110 and the second catheter 130 against each other and the proximal end 154 of the hub is designed to separate the first catheter 110 from the second catheter 130.” Further in Paragraph [0043], it is stated that the extension tube assemblies are attached to the first proximal end 111 and the second proximal end 131 (of the first and second catheters), shown in Figure 1 to extend beyond the proximal end 154 of hub 150. Additionally, in Paragraph [0050] it is stated: “A preferred method of insertion of the catheter assembly 100 is shown graphically in Figs. 10 through 12. The catheter assembly 100 is devoid of the hub 150 and the extension tube assemblies 113, 133, so that the catheter assembly 100 appears as shown in Fig. 7.”

Claims 34 to 37 stand rejected under 35 USC § 102(b) as being anticipated by Ash et al (U.S. Patent No. 5,947,953). Reference Ash et al has been discussed in the previous Amendment and Response dated January 23, 2006. The reference discloses a catheter assembly including a hub that joins extension tubes to respective lumens of the catheter, for fluid communication therewith. The reference does not disclose that the hub is releasably attachable to the catheter. Figure 1 shows that the hub is affixed to the catheter’s proximal ends 62,66 and to the two extension tube distal ends 82,86. There is no disclosure of the hub being attached or being

attachable to the catheter proximal end portions distally of the proximal ends thereof, releasably therefrom or otherwise, nor is there a disclosure or an implication that the hub is a separate, pre-existing component apart from the catheter assembly, nor that the hub is releasable from the catheter proximal end portions. No structural detail of the hub is shown in the reference that could implicitly suggest that the hub is openable to be removed from the catheters and extension tubes, although suture wing 102 may possibly be removable from the hub.

At column 14 lines 11 to 15, the reference states: "Once the catheters have been placed in the subcutaneous area, and prior to inserting the distal end regions 48,52 into the area to be catheterized 19, the catheters 26, 30 appear as shown in FIG. 6." Figure 6 shows that hub 24 is attached to the catheter proximal ends as well as respective extension tube distal ends for fluid communication therewith; no mention is made that the hub was attached to the catheter after tunneling. The rejection is respectfully traversed.

Regarding hub 24, the hub is mentioned rarely in the Specification of the reference: (1) at column 5, line 60; (2) at column 11, line 61; (3-6) at column 12, lines 3 and 5 and 17 and 34; (7) at column 13, line 16; and (8) at column 14, line 45. Instance (1) states that in the catheter assembly 10, the cannulating portion 20 is joined to the extension tube portion 22 by the hub 24. For instances (2) and (7), the reference to the hub 24 is that the catheter of the assembly 10 may be split up to that location. For instance (3), the reference states that the hub 24 among other items is now to be explained in detail; instance (4), and in lines 11 to 14, states that the hub and extension tubes are optional. In instance (5), it is stated that the cannulating portion 20 of the assembly 10 is preferably joined to the extension tube portion 22 in the hub 24, similar to instance 1. Instance (6) states that hub 24 preferably includes a suture wing 102. The entire disclosure of the reference refers to handling and tunneling and vascular implantation as being of the catheter assembly 10, not just a catheter, and that the catheter assembly has a cannulating portion 20 and an extension tube portion 22. The cannulating portion 20 may be split from the distal end regions 26, 30 toward the cuff and toward and, if desired, to the hub 24. In tunneling, only the distal end regions are connected to the tunneler, since the proximal end regions 62, 66 are affixed to extension tubes within the hub 24.

Claim 38 stands rejected under 35 USC § 103(a) as being unpatentable over Ash et al in view of Butler et al (U.S. Patent No. 6,758,854). References Ash et al and Butler et al have been

discussed in the previous Amendment and Response dated January 23, 2006. Claim 38 depends from claim 34 and is believed allowable by depending from an allowable claim.

No new matter has been entered by the present amendment, and allowance of all elected claims is respectfully requested.

Respectfully submitted,

J. Daniel Raulerson, et al

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By: Anton P. Ness
Anton P. Ness
Registration No. 28,453
Monte & McGraw, P.C.
4092 Skippack Pike
P.O. Box 650
Skippack, PA 19474
Telephone: 610-584-9400
Facsimile: 610-584-9783
E-Mail: aness@montemcgraw.com
Customer Number: 33941